IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

LETTERS PATENT APPEAL Nos 152, 153, 154 & 155 of 1995

in

SPECIAL CIVIL APPLICATION Nos 654, 3542, 3543 & 3541 of 1984

For Approval and Signature:

HON'BLE MR.JUSTICE B.J.SHETHNA
and
HON'BLE MR.JUSTICE M.C.PATEL

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

MOHANSINGH GURUCHARANSINGH

Versus

STATE OF GUJARAT

Appearance:

1. LETTERS PATENT APPEAL No. 152 of 1995

MR PRASHANT G DESAI for Appellant No.

MR PR ABICHANDANI AGP for Respondent No. 1-2

RULE SERVED for Respondent No. 2

CORAM : HON'BLE MR.JUSTICE B.J.SHETHNA

and

HON'BLE MR.JUSTICE M.C.PATEL

Date of decision: 05/08/2004

ORAL JUDGEMENT

(Per : HON'BLE MR.JUSTICE B.J.SHETHNA)

Learned AGP, Mr.P.R.Abichandani appearing in all these matters for the respondent-State of Gujarat places on record a letter dated 4.8.2004 addressed by the Competent Authority and Deputy Collector, Urban Land Ceiling, Ahmedabad to the Assistant Government Pleader, Gujarat High Court, Ahmedabad, wherein it is clearly stated that from the record the possession of the land bearing survey Nos.350/2/1, 350/2/2 and 350/2/3 were not taken over till 30.3.1999. The proceedings under Section 10(3) were over in all these cases, but excess vacant lands were not included in the list of lands of which possession was taken over. Therefore, as per the provisions of Repeal Act, 1999, all the writ petitions were required to be dismissed as having become abetted.

In view of the above letter dated 4.8.2004, when all the writ petitions stood abetted, then all the appeal filed in them will have to be dismissed as having become abetted. Accordingly, all these Letters Patent Appeals are dismissed as having become abetted. No order as to costs.

(B.J.Shethna, J.)

(M.C.Patel, J.)

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